

In the High Court of Punjab and Haryana at Chandigarh

Regular Second Appeal No. 568 of 1985
Date of decision: 21-08-2007

Smt. Promila Khurana and another

---Plaintiff-Appellants

Vs.

Regal Refreshers and others

---defendant-Respondents

Coram: **HON'BLE MR. JUSTICE M.M.KUMAR**

Present: None for the plaintiff-appellants.
Mr.Kabir Sarin , Advocate,
for defendant-respondent Nos. 1 to 3.

M.M.KUMAR J.

ORDER

This is plaintiffs' appeal filed under Section 100 of the Code of Civil Procedure, 1908, against the judgment of reversal passed by the learned Additional District Judge, Amritsar dated 8.10.1984 reversing the view taken by the learned trial Court in its judgment and decree dated 25.9.1980. The suit of plaintiff-appellants has been dismissed by the learned Appellate Court wherein the relief of ejectment of the defendant-respondents was claimed in respect of the disputed shops known as property No. 1 and 2 forming part of property No. III, Lawrance Raod, Amritsar, was made.

Mr. Sarin, learned counsel for the defendant-respondents at the out set stated that he has instructions to communicate on behalf of defendant-respondent Nos, 1 to 3 that they have vacated the disputed property and has handed over the possession to the plaintiff-appellants.

According to the learned counsel, the properties have further been sold by the plaintiff-appellants to third parties.

No one has put in appearance to controvert the statement made by learned counsel for defendant-respondent Nos. 1 to 3.

In view of the above, the appeal is dismissed. However, if there is any factual mistake in the statement made, then it shall be open to the plaintiff-appellant to move appropriate application for restoration of the appeal.

(M.M.KUMAR)
JUDGE

August 21, 2007
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